

<b>2-1</b>	<b>Department Organization</b>	<b>2-1</b>
2-1.1	General	2-1
2-1.2	Responsibility and Authority	2-1
2-1.2.1	Washington State Transportation Commission	2-1
2-1.2.2	Executive Officers	2-2
2-1.2.3	Principal Staff Officers	2-2
<hr/>		
<b>2-2</b>	<b>Headquarters Organization</b>	<b>2-2</b>
2.2.1	Director, Real Estate Services	2-2
2-2.2	Deputy Director, Real Estate Services	2-3
2-2.3	Assistant Director, Local Agency Projects/Special Acquisitions/Certifications	2-3
2-2.4	Assistant Director, Property Management Program	2-4
2-2.5	Assistant Director, Relocation Assistance	2-4
2-2.6	Assistant Director, Appraisal and Appraisal Review Program	2-5
2-2.7	Assistant Director, Title and Condemnation Program	2-5
<hr/>		
<b>2-3</b>	<b>Region Organization</b>	<b>2-6</b>
2-3. 1	General	2-6
2-3.2	Responsibility and Authority	2-6
2-3.2.1	Region Administrator	2-6
2-3.2.2	Region Real Estate Services Manager (RRESM)	2-6
<hr/>		
<b>2-4</b>	<b>Organization of the Attorney General Division</b>	<b>2-8</b>
2-4.1	General	2-8
2-4.2	Responsibility and Authority	2-8
2-4.2.1	Attorney General	2-8
2-4.2.2	Chief Counsel	2-8







This chapter contains a description of the organizational structure that exists in the Washington State Department of Transportation (WSDOT), promulgated in some cases by other authority. Statements regarding areas of authority and responsibility outside of “Environmental and Engineering Programs” are included only to provide continuity of the concepts discussed. In those cases, such statements do not constitute an assignment of authority or responsibility.

## **2-1 Department Organization**

### **2-1.1 General**

- A. WSDOT, with the approval of the Washington State Transportation Commission, operates a decentralized organization. It consists of a staff office called Headquarters. There are six region offices and several divisions, including the Washington State Ferries Division.
- B. The executive officers are the Secretary and Deputy Secretaries of the department and they carry into effect the Commission’s orders and policies.
- C. The principal staff officers are the five Assistant Secretaries. The principal staff officers establish guidelines and criteria to ensure uniformity of operations in accordance with the Secretary’s policy directives and department manuals.
- D. Permanently-assigned staff located in Headquarters establish operating regulations, and advise and assist region personnel in carrying out their assigned duties.
- E. Permanently-assigned region personnel carry out the programs of the department in accordance with the established operating regulations.
- F. All legal services for WSDOT are provided by the Chief Counsel, Transportation Division of the Office of the State Attorney General, hereinafter referred to as the Attorney General Division.
- G. WSDOT bases its staffing requirements on the level of employment necessary to perform and administer all activities incidental to programmed projects. The services of outside consultants, specialists or other fee practitioners are secured only when the need arises for specialized skills or for personnel to augment the regular staff to meet peak program activity.

### **2-1.2 Responsibility and Authority**

#### **2-1.2.1 Washington State Transportation Commission**

The seven members of the Washington State Transportation Commission are appointed by the Governor, with the confirmation of the Senate, to staggered six-year terms (Ref: Chapter 47 RCW Public Highways). The State Transportation Commission, within the provisions of law, assumes and exercises authority and direction over the administration of WSDOT.



### **2-1.2.2 Executive Officers**

The Secretary of Transportation is the chief executive officer for WSDOT and is appointed by the State Transportation Commission. The Secretary carries out the Transportation Commission's orders, policies, and direction in a manner sensitive to the needs of all Washington State's citizens.

A Deputy Secretary for Policy assists the Secretary with high level legislative, legal, policy, and human resource issues. A Deputy Secretary for Operations assists with high level engineering, environmental, construction, and planning issues.

### **2-1.2.3 Principal Staff Officers**

Within their respective areas of authority the principal staff officers are responsible to the Secretary of Transportation for the following:

- A. Establishing and administering pertinent operating criteria and guidelines in accordance with the Secretary's policy directives, state and federal regulations.
- B. Auditing of performance.
- C. Advising and assisting the Regional Administrators.
- D. Administrative functions including the approval and execution of certain documents and instruments.

## **2-2 Headquarters Organization**

### **2.2.1 Director, Real Estate Services**

- A. Administers statewide the operation of Real Estate Services; manages the Headquarters Real Estate Services Office which is the repository of the official records of all real property functions; is the chief branch policy-maker and coordinator of functions of the six region RES Managers in their relationship with the Federal Highway Administration (FHWA), Attorney General Division for Transportation, employees bargaining unit, Headquarters offices, and other offices of state government and railroad corporations on all agency real estate matters.
- B. Is a member of the RES Administrative Review Board for administrative settlement matters; and the Relocation Assistance Appeals Board.
- C. Has principal duties consisting of:
  - 1. Maintaining a policy and procedural manual current with state law and federal regulations for compliance by all RES personnel.
  - 2. Advising WSDOT personnel at all levels in RES matters.
  - 3. Monitoring employee performance, recommending training and/or needed corrective action.
  - 4. Coordinating with the WSDOT Personnel Manager in personnel management and in collective bargaining negotiations.
  - 5. Responding to state and federal audits of RES performance.
  - 6. Providing assurances to the FHWA and other offices of government at all levels, of availability of replacement housing for persons displaced by highway construction projects.



7. Obtaining advance approvals of project replacement or individual “Housing of Last Resort” plans, or proposed policy deviation needed from FHWA or other offices of government in Relocation Assistance, Right of Way Appraisal, Acquisition, or Property Management.
8. Reviewing and deciding on the acceptance of all transactions specifying payments determined by review appraisers, or Region RES Managers as administrative payments.
9. Reviewing and deciding on the acceptance of surplus property rentals as recommended by region offices, or sales of surplus property.
10. Reviewing and deciding on the acceptance of region office requests to hire consultants or fee appraisers and approve contracts specifying amounts less than \$10,000. Making recommendations, as necessary, to the Consultant Selection Board for those in excess of \$10,000.
11. Deciding on concurrence by the department, or making recommendations to the Administrative Board, in pretrial or stipulated settlements proposed by Assistant Attorneys General.
12. Administering the functions of the Acquisition; Title Condemnation and Records; Property Management; Relocation; and the Local Agency Projects/Special Acquisitions/Certifications Sections.
13. Carrying out other assignments made by the Director for Environmental and Engineering Programs.

## **2-2.2 Deputy Director, Real Estate Services**

- A. Performs all duties of the Director, Real Estate Services, in his/her absence.
- B. Serves as a member of the Administrative Review Board to approve administrative settlements and AG settlements.
- C. Chairs the RES Training Matrix Committee and monitors and approves training for all Headquarters RES employees.
- D. Represents RES in various technical and procedural teams or committees.
- E. Oversees the Headquarters RES budget and FTE allocations to assure compliance.
- F. Assists the Attorney General in mediations and settlements.

## **2-2.3 Assistant Director, Local Agency Projects/Special Acquisitions/Certifications**

The Assistant Director for Local Agency Projects reports to the Deputy Director, Real Estate Services, and is responsible for supervising the statewide Local Agency Coordination program, the statewide PS&E Review program and the statewide Right of Way Certification program to include:

- A. Training and monitoring the region local agency coordinators responsible for the acquisition of right of way by local agencies on federally funded projects.



- B. Working through Local Programs to approve and monitor local agency's acquisition procedures and train the agencies in proper use of the procedures. Monitor and update Chapter 25 of the *Local Agency Guidelines* manual.
- C. Reviewing construction project PS&Es to insure that all necessary rights have been acquired and monitoring and reporting to the region and Headquarters on current status.
- D. Preparing right of way certificates for all acquisition on federally funded projects prior to construction project advertisement. Monitoring and recertifying any projects certified with exceptions (#3 certification).
- E. Maintaining permanent files on local agencies to include approved procedures, local agency agreements and project certifications etc.

#### **2-2.4 Assistant Director, Property Management Program**

The Assistant Director, Property Management Program:

- A. Manages the Statewide Property Management Program by assuring compliance with departmental operating regulations. The position reports to the Deputy Director, Real Estate Services.
  - 1. Directing the review and inventory control of all excess property and sundry site (capital plant and materials sites) parcels.
  - 2. Directing the review of property disposition transactions to assure compliance with regulations and the validity of judgmental factors.
  - 3. Providing technical advice on property management matters to others.
  - 4. Directing the statewide promotion and sale of surplus properties including land and improvements by both auction and direct sale.
  - 5. Directing the statewide promotion and operation of rentals, leases, airspace agreements, and joint use.
  - 6. Performing field inspections of right of way operations.
- B. Provides for coordination with and advice to the Regional Administrators, other Headquarters offices, the Attorney General Division, and the FHWA on property management functions.
- C. Coordinates with the Regional Administrators on the investigation of citations regarding compliance with operating regulations governing the property management functions.
- D. Formulates operating regulations governing the property management functions for approval by higher authority.

#### **2.2-5 Assistant Director, Relocation Assistance Program**

The Assistant Director, Relocation Assistance Program:

- A. Manages the statewide relocation assistance program. The position reports to the Deputy Director, Real Estate Services.
- B. Additional responsibilities include:
  - 1. Management of the Headquarters Relocation Assistance Office.



2. Reviewing and approving all incoming claims.
3. Advising the Director, Real Estate Services, and regional offices in program matters.
4. Maintenance of official relocation files.
5. Promulgating operating procedures that implement current state law and federal regulations.
6. Coordinating and scheduling appeal of determinations and benefits, when necessary.
7. Other functions as required by the Director, RES.

#### **2-2.6 Assistant Director, Appraisal and Appraisal Review Program**

- A. Manages the statewide appraisal program. The position reports to the Deputy Director, Real Estate Services.
- B. Manages the Headquarters appraisal office. All review appraisers report to this position. Headquarters staff appraisers report to this position.
- C. Assures that appraisals and reviews are prepared in consistency with current acceptable appraisal standards for eminent domain.
- D. Serves as a member of the Administrative Review Board to approve administrative settlements and AG settlements.
- E. Issues operating procedures that implement current state law and federal regulations.

#### **2-2.7 Assistant Director, Title and Condemnation Program**

The Assistant Director, Title and Condemnation Program:

- A. Manages the statewide Title Review and Condemnation functions and the records function within Headquarters. Reports to the Deputy Director, Real Estate Services. The principal duties of this position are:
  1. Directs the review and final processing of all real property acquisition and damage claim files. Assures legal sufficiency and compliance with state laws and departmental regulations. Performs final review and processing of surplus property conveyance documents.
  2. Directs the preparation of legal descriptions and exhibit maps, and determinations of interested parties for use by the Attorney General Office in eminent domain proceedings.
  3. Makes recommendations for procedures concerning real property title and document processing functions for approval by higher authority.
  4. Prepares affidavits and/or testifying in court as the department's expert witness in real estate matters involving titles and legal descriptions.
  5. Supervises the Real Estate Services administrative activities which include:
    - a. Indexing and storage of the departments official real property transactions of ownership files.



- b. Maintaining complete and current official files of transportation project right of way and sundry site plans.
  - c. The development and operation of the computer system.
- 6. Performs other functions as required by the Director, Real Estate Services.

## **2-3 Region Organization**

### **2-3.1 General**

- A. The principal satellite offices of WSDOT are known as “Region Offices.”
- B. The relationship of the Region Real Estate Services (RRES) offices within WSDOT is shown in the Organization Handbook published by Administrative Services.
- C. The geographic boundaries of each region are shown in the Organization Handbook. If the limits of a particular highway project extend across the boundaries of a region, the responsibilities are assigned to either of the two regions by working agreement based on a case evaluation.

### **2-3.2 Responsibility and Authority**

#### **2-3.2.1 Region Administrator**

- A. As shown in the Organization Handbook, the Region Administrator is responsible to the Secretary of Transportation and the Deputy Secretary for Operations.
- B. The Region Administrator has final authority in the region for decisions on highway matters within the framework established by departmental operating regulations in the form of departmental manuals, directives, and instructional letters.
- C. The Region Administrator exercises administrative and management supervision over the RRES as follows:
  - 1. Furnishes the facilities and supplies, and provides for the staffing required for the effective accomplishment of the right of way program and its related activities.
  - 2. Within the scope of departmental operating regulations, may review and approve transactions, or may make recommendations for further actions.  
*Note:* This activity may be subdelegated to the RRES Manager, but may not be further subdelegated.

#### **2-3.2.2 Region Real Estate Services Manager (RRESM)**

The RRESM:

- A. Is responsible to the Region Administrator for managing the RRES Office. This position also serves as a member of the Region Administrator’s staff.
- B. Is responsible to the Region Administrator for the following:
  - 1. Supervising and directing the RRES Office to assure compliance with the departmental operating regulations by:
    - a. Managing all region Real Estate Services functions.



- b. Providing technical supervision and in-service training in all RRES program disciplines.
  - c. Identifying opportunities for functional replacement of publicly-owned real property. Assures compliance with special requirements for functional replacement.
  - d. Providing reports and systematic records on the anticipated costs of proposed right of way acquisitions and related costs.
  - e. Assuring the receipt of an appropriate right of way plan and an appropriate Work Order Accounting Plan prior to obligating funds on a project.
  - f. Monitoring proposed expenditures to assure their necessity and to assure accurate account coding.
  - g. Reporting on the causes for fund adjustments and the amounts of fund adjustments relative to a Work Order Accounting Plan.
  - h. Providing for appraisal evidence of the amount of the legally compensable fair market value lost to each separate fee and/or tenant ownership due to acquisition or highway project factors.
  - i. Performing the "Project Inspection and Parcel Assignment," and ensuring that all property and/or property rights required for a project are either acquired or are referred for condemnation.
  - j. Directing the operation of the relocation assistance program for project displacees.
  - k. Directing the management of property and/or property rights acquired.
  - l. Advising and assisting Local Public Agencies (LAs) in completing their right of way acquisition programs when requested. Reviewing LA acquisitions as needed to assure compliance with state and federal requirements.
  - m. Ensuring the accuracy of records, and the systematic input of project/parcel status information into the computer concurrent with parcel acquisition progress.
2. Coordinating with other staff officers in the region by:
- a. Assuring adequate time allocations for right of way activities in the planning for lead time and scheduling
  - b. Providing for real estate services participation in the interdisciplinary team efforts and project field inspections in location and design, as required by the Regional Administrator.
  - c. Providing data and/or personnel required to explain the acquisition, relocation assistance, and other related programs at public hearings.
  - d. Assisting in the preparation of right of way plans as required.
  - e. Taking actions as required in Chapter 6 for the authorization of advance acquisition of projects.



- f. Taking actions as required in Chapter 6 for the authorization of hardship acquisition of parcels.
    - g. Recommending appropriate funding for, and directs the operation of, the regions's ongoing property management inventory.
  - 3. Obtaining technical advice from the Director, Real Estate Services (or his designee), on the following:
    - a. Technical problems relating to any of Real Estate Services' disciplines.
    - b. Training of personnel.
    - c. Compliance with guidelines on right of way matters.

## **2-4 Organization of the Attorney General Office**

### **2-4.1 General**

The State Office of the Attorney General provides legal services to state agencies.

### **2-4.2 Responsibility and Authority**

#### **2-4.2.1 Attorney General**

- A. The chief legal officer for the State of Washington holds the title of Attorney General. Since this is an elective position, the Attorney General is responsible to the voters of the State of Washington for all legal matters concerning the State.
- B. WSDOT has a staff of attorneys assigned on a permanent basis to advise and represent the department at the Attorney General's Office. WSDOT reimburses the Office of the Attorney General for salaries, benefits, and case related expenses.

#### **2-4.2.2 Chief Counsel**

- A. The principal Assistant Attorney General in the office of the Attorney General Office holds the title of Chief Counsel.
- B. The Chief Counsel is responsible to the Attorney General for all activities of his staff, and operates in close coordination with the State Transportation Commission and the Secretary of Transportation.
- C. The Chief Counsel assures the close coordination of his staff with the Real Estate Services staffs in regions and Headquarters.
- D. An Assistant Attorney General may be assigned to handle land acquisition matters for each region. If the case load in a particular region necessitates it, additional Assistant Attorneys General may be assigned to that region.
- E. Only in rare instances (e.g., excessive workloads on regular staff) are the services of a private attorney employed. In these instances, the Chief Counsel contracts with an attorney who has competence, interest and familiarity with applicable procedures. If federal aid participation in the cost of his services is desired by the state, advance FHWA approval must be obtained to employ special counsel.